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June 9, 2023

Via email

Hon. Valerie E. Caproni
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007


Re: GateGuard, Inc. v. Goldmont Realty Corp., et al.
Case No.: 1:20-cv-01609 (VEC) (GWG)
Arbitration Status Update

Dear Judge Caproni:

I represent Plaintiff GateGuard, Inc. (“Plaintiff”) in the above referenced action. I write in response to the Court’s order dated May 4, 2023 to provide an update on the status of arbitration. Dkt 167. I attempted to file this letter on ECF, but the server appears to be down and I am therefore emailing the letter to chambers. I will e-file the status update as soon as I am able.

As required by this Court, Plaintiff commenced arbitration before the American Arbitration Association (the “AAA”) on February 28, 2023. *See* Ex. A (acknowledging filing of the demand for arbitration). The AAA required that Claimant (Plaintiff) pay a filing fee of \$7,700 and that Respondents accept the AAA Commercial Rules. *Id.* Plaintiff was unable to pay the filing fee and Respondents (Defendants) did not notify the AAA of their acceptance of the Commercial Rules. Accordingly, the matter was closed on April 4, 2023, subject to the right of Claimant to reopen the arbitration within 90 days upon payment of the filing fee and acceptance of the Commercial Rules by Respondents. *See* Ex. B. Plaintiff intends to pay the filing fee and hopes this matter can proceed to a hearing before the AAA. Plaintiff has not been notified of Respondents’ position.

Respectfully Submitted,


Eden P. Quanton

cc: Simcha Schonfeld – sds@kandsllp.com